

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

GEORGE D. ANDERSON,

Civ. No. 6:17-cv-00880-CL

Plaintiff,

OPINION & ORDER

v.

COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION,

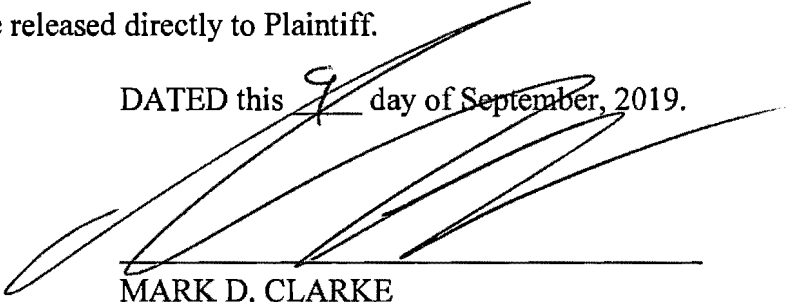
Defendant.

CLARKE, Magistrate Judge.

This case comes before the Court on an unopposed motion for attorney fees (#22) under 42 U.S.C. § 406(b). Plaintiff moves the Court for approval of \$10,090.75 in fees, reduced by \$6,309.59 Equal Access to Justice Act ("EAJA") fees, for a total of \$3,781.16. A fee awarded pursuant to 42 U.S.C. § 406(b) cannot exceed 25% of the retroactive benefits. *Crawford v. Astrue*, 586 F.3d 1142, 1147 (9th Cir. 2009). The sought total attorney fee amount of \$10,090.75 is 25% of the retroactive benefits (\$40,363.00) awarded to Plaintiff. Having reviewed the proceedings and the amount of fees sought, the Court concludes that Plaintiff's counsel is entitled to the \$10,090.75 in fees requested, minus \$6,309.59 EAJA fees, for a total of \$3,781.16.

Plaintiffs Motion (#22) is GRANTED. The agency is directed to issue the § 406(b) check directly to Plaintiff's counsel, minus any user fee. Any amount withheld after all administrative and attorney fees are paid should be released directly to Plaintiff.

DATED this 9 day of September, 2019.



MARK D. CLARKE
United States Magistrate Judge